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CSB 77-279

17 June 1977

MEMORANDUM FOR: Inspector General
THROUGH : Chief, SE Division
FROM : []
Chief, Central Cover Staff
SUBJECT : Mr. Aleks Kurgvel's Request for Assistance

1. On 9 June 1977, you asked this office to review Mr. Kurgvel's request for assistance and to provide him whatever guidance and assistance possible. Mr. Kurgvel is a former Career Agent of SB Division.

2. As stated by Mr. Kurgvel, he requested assistance on the problem of his State income taxes in 1974 prior to his retirement. We are unable to determine if anything was done at that time; he claims nothing was done. His problem with the New York State tax authorities stems from the fact that he claimed two legal residences — one in New York for his wife and younger son and the other for himself here in the District of Columbia. It appears that he filed the appropriate tax returns with each jurisdiction, but New York claims that they are the primary residence because of certain actions he took: without considering the residency problem and like many new citizens to this country, he wanted to vote in a Presidential election and since Congress did not allow residents of D.C. to vote in elections, he registered in New York in the early sixties and voted in one Presidential election there. This action, along with a problem he was having in obtaining a D. C. driver's license (failed driver's test three times) and his actual obtaining of a New York driver's license, and the purchase of a home (duplex) for his wife in 1964, provided New York with sufficient evidence for their claim.

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3. This "battle" with the New York State tax authorities has lasted for over 12 years. During this period, he has given in at various points and paid the tax requested; however, each time this has happened, the State has come back with a new assessment which initiated a new round of "battles."

4. Much sympathy must go to Mr. Kurgvel. He has done what most of us would do in a similar circumstance, thinking that he was complying with the appropriate laws. In a way, it is much like a whirlpool in which he has been caught and the State is 'milking' him for everything. I am sure if he went public, he would receive much sympathy.

5. He has presented two possible solutions:

A. Agency provides an official certificate of release from the secrecy and security pledge for his use in setting forth details of his true employment. (We do not see how this can assist his case with the New York tax authorities. It will create another problem because he has sworn under oath that he was a Department of Army employee.)

B. Agency provides financial assistance. (Legally we may not be able to assist in this manner unless he would have to become a welfare recipient due to the complete liquidation of his savings and he is unable to maintain his household on his income. By law, the Agency must not allow a Section 8 case to become a public charge.)

6. A review of the documentation submitted by Mr. Kurgvel and the six volumes of his 201 file has been completed by the Cover Support Branch of this Staff. A few documents providing background material have been photocopied and attached to this memorandum.

7. It is recommended that a member of the General Counsel's office go to the Director of the State Tax Commission of New York and explain that Mr. Kurgvel was an employee of this Agency and for cover security reasons, he swore under oath that he was an employee of the Department of Army; apparently he took this action without prior consultation with the Agency. This would alleviate his concern about lying under oath and his concern that his inability to use his true employment has impaired his case with the tax authorities. In addition, we could possibly verify the fact that Mr. Kurgvel was required to live for a period of time without his family. Since the file does not contain firm evidence one way or the other regarding

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this point, it would be necessary for the Chief, SE Division to determine whether he can legitimately make this statement at this time. This would substantiate the point that he has continually made throughout his negotiations. Neither item would probably have any affect on his case; however, we believe that we have a moral obligation to take some action on Mr. Kurgvel's behalf and this appears to be about the only action that we can take at this time.

Attachments

Distribution:

- Orig. & 1 - Addressee (w/att)
- ✓ 1 - C (Aleks Kurgvel)
- 1 - C/CCS (w/att)
- 1 - CSB (w/att)
- 1 - CSB Chrono
- 1 - CSB Reading Board

CCS/CSB: 1 - lcp (17 June 1977)

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